

# **Clifton For Review**

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TUESDAY, OCTOBER 26, 1909.

## **IS HUMAN LIFE CHEAP IN RICHMOND?**

The Clifton For Review tells its readers that "human life is cheap in Richmond." This is a serious reflection to make upon any Virginia city, or indeed upon any civilized community anywhere. Is it just?

The esteemed Review reaches its conclusion by noting that within a few days a man here in Richmond "was shot down in cold blood simply because he was investigating certain rumors reflecting upon his wife," and a negro "was shot by a street car conductor on the trivial charge of trying to beat a large and rich corporation out of a ride, the value of which was 5 cents." Do these two events prove that human life is cheap here?

No doubt the conductor should not have drawn his pistol on the negro, who defied him in his own car, refused to pay a fare, resisted arrest and made a break for liberty. Yet this is an error which those more authoritative officers of the law, the police, are likely to make wherever the police exist. The question of when an officer is justified in using his pistol is a delicate and difficult one, not to be settled in any off-hand, rough-and-ready fashion. We cannot agree with the esteemed Review that "it is not customary to shoot men because they attempt to escape from the clutches of the law." Our impression is that it is very customary indeed. Any man who breaks away from an officer and bolts is liable to be shot after warning to stop. Nor is the amount of his theft or the size of his crime the decisive question.

A man who breaks into another man's house at 2 o'clock in the morning equally lays himself open to a bullet, whether the portable silver plate in the house is worth \$10 or \$10,000. His crime is equally house-breaking in either case. It is not very different with resisting arrest. The negro in the Richmond case was not shot because "a large and rich corporation" put a higher value upon a nickel than upon his life, as our contemporary seems to suggest. He was shot, whether justifiably or not, for defying the majesty of the law. And the law can be defied as clearly and as disastrously in 5-cent transactions as in those involving ten thousand times that amount.

As to the other case which our critic mentions, a case of so totally different sort that it cannot be properly linked with the street car case in any way, that is in the courts for fair trial. Why not withhold judgment until we see what the courts do with it?

The close coincidence of two shootings in any community do not in the least show that human life is "cheap" there. Shootings are the acts of individuals and reveal nothing at all as to the public sentiment of the community. A murder every day for a week in this city could not possibly prove that human life is held cheaply here. There is only one way to measure how life is held in Richmond or anywhere else under the sun. That lies in the courts, in the jury rooms, in those forces of public opinion which run through and guide the administration of justice and the allotment of punishments. Our friend in Clifton For Review will find it easier to maintain that human life is cheap in this city when he can point to murderers who have been acquitted or let off with one of those easy sentences which have brought the machinery of justice into merited contempt elsewhere.

## **A NEW SUPREME COURT JUSTICE.**

The Supreme Court is a never-failing source of interest to the American people. The long-robed Justices, whose labors never end, and whose places remain secure amid political change and party upheaval, have always been looked upon with a respect close akin to awe. This sentiment is illustrated anew in the death of Justice Peckham. Had the dead jurist filled any other place, speculation would have been already rife as to his successor. A dozen probable candidates of the dominant party would have been named in the press, and a lively race for the position would already have been in progress.

As it is, we see nothing of the sort. Even newspaper predictions are very scarce. Not until the President returns from his tour will he take up the appointment and name a man whose legal training assures his fitness for the exalted office. Few doubt that the choice will be a wise one, especially in view of Mr. Taft's well-known views on the sanctity of the bench.

According to more recent precedent, the new Justice should come from the Democratic party. In the early days of the republic, this was not the case. Andrew Jackson, notably, disregarded the political balance of the court and appointed Henry Baldwin, his ardent supporter, to take the place of the Federalist Bushrod Washington. But since President Harrison named Howell E. Jackson, a war-time Democrat

from the South, when he might have appointed a Republican, the precedent has been well established.

The very fact that a Democrat may be appointed is proof of the non-partisan character of this august tribunal. John Jay was fond of casting stones on the political aspect of the court. J. M. Shilley, in his review of the Dartmouth case, declared that politicians "bivouached in the chief-justiceship on their march from one political position to another." Seward and his crew hurriedly investigated at the court, when it handed down the verdict in Scott vs. Sandborn, and declared it a political body. But such charges as these are very exceptional, and have never stood proof. The Supreme Court, as far as body of men can, bases its opinions not on political affiliation, but upon legal premises.

At the same time, Mr. Taft's appointment may have a very significant bearing upon the future of the court. John Marshall came to a court divided and unrevoked. His strong legal mind, his wonderful judicial sagacity and acumen transformed it. The Republicans of the day protested in vain; the "Midnight Chief Justice" was the real ruler of America. Similarly, the trend of Tany's legal convictions molded the court, and directed its decisions through two decades. A strong man appointed at this time might wield a potent influence over his colleagues, and strongly impress himself upon the political history of his country.

## **THE PEERLESS PIES OF OLD VIRGINIA.**

The Times-Dispatch admires courage, however tardily plucked up. For this reason it extends its compliments to the Boston Globe, which paper, after a long and thoroughly well-chosen silence, returns to the praise of the Boston pie. Two years ago it became our duty to debate with the venturesome Globe the relative merits of the Old Virginia pie and the Boston near-article, or plume, as it is sometimes called. All the famous connoisseurs of the world agreed at the time that we completely backed the Globe off the boards. On all the recognized pie-circuits of this country and Europe it was a sporting truism that we had the Globe securely epiced to the mast, with the rudder torn out and the compass tossed overboard into 600 fathoms.

Now the Boston paper, forgetting the lessons of 1897-'98, returns to its dreary and hopeless task. It boldly directs our attention to the following reply made by it to a mythical Chicagoan who is supposed to ask "what real New England pie is like" (as though every Chicagoan didn't already know to his sorrow):

If he means apple, it is like an essay by Emerson, liquefied with the music of Massenet and spiced with the cynicism of Shaw; if he means pumpkin, it is like some of Gounod's music heard in a landscape all sun and flowers.

Couldn't a blind child locate this description instantly, with never a single pass at the raised map, the sextant or the artificial horizon? In the entire habitable and uninhabitable globe is there another spot but Boston where any man would describe anything to eat as being "like an essay by Emerson"?

Now the world-famous pie of Old Virginia is not in the least like an essay by Emerson. Neither is it in the least like Samuel Johnson's dictionary or Gibbon's "Decline and Fall of the Roman Empire" or Wentworth's "High-er Trigonometry." Rather is it like the laughter of lovely maidens in the springtime, the glorious tinkle of giddling fountains to the parched Saharan traveler; the first kiss of young lovers; the bird, ineffable singing of mysterious birds, undescried yet indescribably sweet; the winning of fame and of riches immeasurable; the esteem of one's fellows, the applause of the world and the love of women. The pie of Old Virginia puts dull care to headlong flight, ennobles and inspires the character, develops manhood, lifts the mortgage and pays the rent. Men who are privileged to eat it regularly usually grow up to become Presidents if they care to accept it. This they rarely are willing to do, the District of Columbia being outside the pie-belt.

Washington, Jefferson, Madison and Monroe, all pie-fed Virginians, may, however, be noted as among the more prominent exceptions. Persistently and wilfully deprived of Old Virginia pie, men go mad, but their brains out, or, in the latter case, the jury commonly brings in a verdict of justifiable homicide. Never was there a pie baked elsewhere in the world that could come into the presence of an Old Virginia pie without instantly blushing and taking off its cap.

Yet it is a solemn fact that pie is by no means the crowning triumph of the Old Virginia cuisine. It is a solemn fact that there are no less than thirty-eight epicurean creations which our Virginia connoisseurs, the most delicate-palated on earth, rate distinctly above our pie, peerless products of the pastry-artist though they are. Out of friendly regard for the reckless Globe, we warn it to abandon its absurd pretensions without delay and immediately retire with its Emersonian pie to a seat in the extreme rear of the gastronomic auditorium.

## **"THIRTY-ONE STATES IN LINE."**

Congress must call a convention to propose constitutional amendments whenever "the Legislatures of two-thirds of the several States" request it to do so. As to the income tax amendment, it appears that these terms have now been complied with. "Two-thirds of the States" now means thirty-one States. An investigative writer in the October Forum has discovered that thirty States, which he names, have already petitioned Congress to call a convention which shall submit the income tax amendment to the States. Since the writer wrote,

## **Borrowed Jingles**

**HIS DAY OF TRIUMPH.**

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 Because his plea she had denied;  
 But as he turned to go his way,  
 His heart, though glad, was filled with pride.

"Some time," he said, "you shall regret;  
 Some time the world will grant me fame;  
 Upon a height my goal is set,  
 And well you know I will claim."

She merely smiled and let him go,  
 He went out in the world to strive;  
 He found her when he wanted a blow  
 He bravely kept his hopes alive.

He toiled for years with all his might  
 And thought of her and of his vow;  
 His goal still standing on the height,  
 And deep lines forming on his brow.

At last his day of triumph came,  
 He was rewarded with success;  
 The world accorded him the fame  
 Which he had sought so long to possess;

Through ceaseless efforts he had won  
 The crown of honor for his own;  
 For splendid things which he had done  
 His name o'er all the land was known.

Then, having played a splendid part,  
 He turned from where his goal was set  
 And started back to break her heart,  
 To overwhelm her with regret.

He found her, though he had not seen her,  
 Discovered that she did not care;  
 The crown of fame was his, but she  
 Was married to a man far more fair.

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Miss Cheatham: "I believe I shall have to give up bridge."

Miss Frank: "Really? Wasn't the game worth the trouble?"—London News.

**Sorrow, Deep and Unfathomable.**

"Have you ever known a great sorrow?" asked the minister.

"Sure," replied the man. "Wasn't I rooting for a tiger to win the world's championship?"—Detroit Free Press.

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"You want to divorce your husband? You say you cannot agree? What evidence do you give of incompatibility of temper?"

"Le Roy," I want a divorce and he doesn't!"—Le Roy.

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First Fuglester: "The Arctic game is played out."

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"Sure," replied the speaker, "but the busy author. 'Merely state that he wasn't as all the spectacular cowboy of fiction.'"—Puck.

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